

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

FILED

FEB 23 2023

CLERK U.S. DISTRICT CLERK  
WESTERN DISTRICT OF TEXAS  
BY *[Signature]* DEPUTY

JASMINE C., AN INDIVIDUAL AND ON §  
BEHALF OF M.C., A MINOR AND HER §  
CHILD, ET AL., §  
PLAINTIFFS, §  
§ CAUSE NO. 1:22-CV-1251-LY  
V. §  
§  
DANIEL DEFENSE, LLC; DANIEL §  
DEFENSE, INC.; OASIS OUTBACK, §  
LLC; AND DOES 1-300, §  
DEFENDANTS. §

**ORDER**

Before the court is Defendant Mandy Gutierrez's Motion to Dismiss Plaintiffs' Class Action Complaint Pursuant to Rules 12(b)(1) and (6) filed February 1, 2023 (Doc. #11). Plaintiffs' Amended Complaint was filed February 22, 2023 (Doc. #14). In light of the filing of Plaintiffs' amended complaint,

**IT IS ORDERED** that Defendant Mandy Gutierrez's Motion to Dismiss Plaintiffs' Class Action Complaint Pursuant to Rules 12(b)(1) and (6) filed February 1, 2023 (Doc. #11) is **DISMISSED WITHOUT PREJUDICE.**

SIGNED this 23rd day of February, 2023.

*Lee Yeakel*  
LEE YEAKEL  
UNITED STATES DISTRICT JUDGE